

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:98-CR-236 CAS
)
RICKY LYNN TUCK,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on defendant Ricky Lynn Tuck's pro se Motion for Early Termination of Supervised Release. For the following reasons the motion will be denied without prejudice.

On July 16, 1999, Mr. Tuck was sentenced to 120 months imprisonment and a 60-month term of supervised release on the charge of conspiracy to manufacture in excess of 100 grams of methamphetamine, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A)(viii). Mr. Tuck completed his sentence and has been on supervised release since December 17, 2010. Defendant's supervised release is set to expire on December 16, 2015.

The United States Probation Office opposes the early termination of supervised release because in November 2011, the Ste. Genevieve County, Missouri Prosecuting Attorney charged Mr. Tuck with sexual misconduct, a Class A Misdemeanor. In January 2012, the prosecutor agreed to a two-year deferred prosecution on the sexual misconduct charge. The probation office believes that additional supervision is necessary in light of the pending deferred prosecution, and because Mr. Tuck has only served a relatively short period of time on his five-year term of supervised release. The

Court finds that Mr. Tuck's request for early termination of his supervised release should be denied without prejudice at this time.

Accordingly,

IT IS HEREBY ORDERED that Ricky Lynn Tuck's pro se Motion for Early Termination of Supervised Release is **DENIED without prejudice**. [Doc. 104]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 9th day of January, 2013.